

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JERRI LYNN RICH,	§	
As Representative for,	§	
GAVRILA COVACI DUPUIS-MAYS,	§	CIVIL ACTION NO. 4:16 cv-00870
An Incapacitated Person,	§	JUDGE AMOS L. MAZZANT, III
<i>Plaintiff,</i>	§	
v.	§	JURY DEMANDED
	§	
THE CITY OF MCKINNEY, TEXAS,	§	
<i>Defendant.</i>	§	

UNOPPOSED MOTION TO DISMISS

TO THE HONORABLE JUDGE AMOS L. MAZZANT, III:

COME NOW Plaintiff, Jerri Lynn Rich, as representative for Gavrila Covaci Dupuis-Mays, in the above-titled and numbered cause, and Defendant, City of McKinney (“McKinney”), Texas, by and through their attorneys of record (hereinafter collectively “Parties”) and would show this Court as follows:

1.

The Parties have resolved all claims each may have against the other. The fact that the claims have been resolved is not an admission of liability on the part of McKinney but is expressly made in order to buy peace and avoid the cost, uncertainty, and expense of litigation. The fact that the claims have been resolved is not an admission by Plaintiff that her claims were not valid, or that any claim or defense of McKinney against Plaintiff was valid, or an admission by Plaintiff that her suit was frivolous or groundless as alleged by McKinney.

2.

It is the intent of the Parties to allow a final dismissal of all claims each may have against the other which are asserted in this lawsuit or which directly arose from the events that were the basis of the lawsuit.

3.

Each Party to this lawsuit by and through their attorney of record requests that the Court sign the proposed Order Granting Dismissal with Prejudice, which is presented to the Court concurrently with this Motion.

WHEREFORE, PREMISES CONSIDERED, the parties request that the Court grant the relief sought herein.

Dated: June 11, 2020

Respectfully submitted,

/s/ John E. Wall, Jr. w/permission

John E. Wall, Jr.

State Bar No. 20756750

Law Offices of John E. Wall, Jr.

5728 Prospect Ave., Suite 2001

Dallas, Texas 75206-7284

Telephone: (214) 887-0100

Facsimile: (254) 887-0173

Email: jwall@jwall-law.com

Clay A. Hartmann

Texas State Bar No. 00790832

Clay.hartmann@thehartmannfirm.com

THE HARTMANN FIRM, PC

6677 Gaston Avenue

Dallas, Texas 75214

214-828-1822

214-828-6999 (fax)

ATTORNEYS FOR PLAINTIFF

/s/ William W. Krueger, III

WILLIAM W. KRUEGER, III

State Bar No. 11740530

Wkrueger@kruegerlaw.org

JAMES CHRISTOPHER BEARDEN

State Bar No. 24113609

Cbearden@kruegerlaw.org

2100 Alamo Road, Suite T

Richardson, Texas 75080

214-253-2600

214-253-2626 – Facsimile

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2020, I filed the foregoing document with the Clerk of the United States District Court for the Eastern District of Texas and that the foregoing document has been forwarded to all parties to this matter via the electronic delivery system of the Eastern District of Texas, Sherman Division.

/s/ William W. Krueger, III

WILLIAM W. KRUEGER, III